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Our ref: ALI-3

JAN 27 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Benjamin Wong
Serial No. : 10/666,071 Art Unit: 3727
Filed : September 19, 2003 Examiner:
Title : FOOD CONTAINER WITH Dated : January
POP-OPEN LID : 27, 2005

REQUEST TO REISSUE OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certification of Facsimile Transmission
I hereby certify that this paper
is being facsimile transmitted to
the Patent and Trademark Office
on Jan 27, 2005

S i r:

Donald C. Lucas
Donald C. Lucas Julia A. Hull
Jan 27, 2005 Reg. No. 33,808

Applicant has been advised that an Office Action
issued in the above-identified case on September 29, 2004.
Applicant's below-signed representative certifies that he
has not received an Office Action with respect to this
Application.

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Furthermore, a Status Inquiry was filed at 14 months, on November 26, 2004, and a Second Status Inquiry was filed on January 28, 2005. Applicant received, on January 24, 2005, a response to its Status Inquiry advising that an Office Action issued on September 29, 2004.

It is presumed that the previous Office Action was mailed to 600 Third Avenue, however, Applicant moved from 600 Third Avenue, and an address change was filed with respect to Applicant's Customer Number and the Customer Number was filed in this Application, see Transmittal Form wherein Customer number was filed with the Application. Presumably, the Patent Office did not associate this Customer Number with the Application. A specific Change of Address correspondence form was filed on November 16, 2004 and it is believed that now the proper address is associated with this Application, however, the Office Action dated September 29, 2004, has not, as yet, been received in the below-signet's office.

Applicant specifically requests that the September 29, 2004 Office Action be reissued and the time for responding be restarted.

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From: MUSERLIAN, LUCAS and MERCANTI 1 212 661 8002

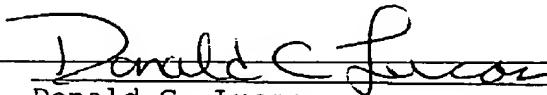
01/27/2005 15:37 #460 P.003/003

Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit account #02-2275.

Respectfully submitted,

MUSERLIAN, LUCAS AND MERCANTI, LLP

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